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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,230	12/08/2000	Yoshifumi Tanimoto		1021

26021 7590 06/04/2004  
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EXAMINER

LETT, THOMAS J

ART UNIT PAPER NUMBER

2626

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/733,230

Applicant(s)

TANIMOTO, YOSHIFUMI

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-8,10-12 and 14 is/are rejected.
- 7) ☒ Claim(s) 4,9,13 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3,5,6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claim 2 is objected to because of the following informalities: the term "storing" should be inserted between the terms "for" and "delivery". Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-6, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Kikuchi et al (US Patent 5,552,901).

With respect to claim 1, Kikuchi et al discloses that the FAX server 1 is connected to opposite (opposite-party) FAXes 6 via a public switched network 5 (col 1, lines 63-65), and that the print document table 29 is configured of an area 29a for storing the identifier of each remote FAX 9 having made a request for printing, an area 29b for storing the data format of the data of each document accumulated in the document data storage 30, an area 29c for storing the start address of the accumulation (col 6, lines 50-55), which reads on a memory for storing delivery conditions, including whether or not a request for data transfer should be accepted, in accordance with at least part of an address of a data transmitter; and

when the FAX server including LAN controller for controlling a communication (col 3, lines 4-5), and it accepts the information items of the destination user identifier, destination telephone No., transmission time and date, etc. entered by the use of the operation control unit 22 and sends the accepted information items to the FAX server 1 (col 8, lines 58-66), which reads on a control unit for determining whether the request for data transfer should be accepted, based on the address of the data transmitter and the delivery conditions.

With respect to claim 2, Kikuchi discloses the transmission document table 27 is configured of an area 27a for storing the user identifier of each request for FAX transmission, an area 27b for storing the user identifier of each transmission destination, an area 27c for storing the telephone number of the destination (col 6, lines 21-25), which reads on a memory for delivery conditions including recipients registered in accordance with at least part of an address of a data transmitter; and

the broadcast facility of transmitting the identical document to the plurality of different opposite FAXes 6 can be realized by utilizing the transmission document table 27 (col 6, lines 33-35), which reads on a control unit for determining a recipient of data, based on the address of the data transmitter and the delivery conditions, and transferring the data to the determined recipient.

With respect to claim 3, Kikuchi discloses an area 27d for storing the time and date of the transmission (col 6, lines 25-26), which reads on the delivery conditions include day and time of data transfer.

With respect to claim 5, Kikuchi discloses the transmission document table 27 is configured of an area 27a for storing the user identifier of each request for FAX transmission, an area 27b for storing the user identifier of each transmission destination, an area 27c for storing the telephone No. of the destination, (col 6, lines 21-25), which reads on the recipient is specified by a facsimile number or e-mail address.

With respect to claim 6, Kikuchi discloses that the broadcast facility of transmitting the identical document to the plurality of different opposite FAXes 6 can be realized by utilizing the transmission document table 27 (col 6, lines 33-35), which reads on the controller can transfer the data to a plurality of recipients.

With respect to claim 8, Kikuchi discloses that the printers 8 which print the document data on recording paper are interconnected by the LAN 4 (col 1, lines 63-65), which reads on the recipients include a printer connected to the another network.

3. Claims 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Okada (US Patent 5,757,510).

With respect to claim 10, Okada discloses the facsimile mail apparatus 3 constitutes a mail center by being connected to the exchange 2 either for a PBX or for a public network (col 3, lines 34-37) and the receiving line transfers facsimile information from the facsimile terminal 1 (col 3, lines 44-45), which reads on receiving data over a network; and

in FIG. 9, a delivery reservation table 34 in FIG. 5 accomodates registration of a sender ID, a line group name, a mail sending function, a mail storing position, a receipt number, a receipt date/time, and a number of sheets. The mail storing position

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indicates an address within the aforementioned magnetic disk drive 16 (col 4, lines 59-64), which reads on determining whether the data should be transferred to a designated recipient based on predetermined delivery conditions and an address of a data transmitter.

With respect to claim 11, Okada discloses a sending line control portion 28 governs sending lines between the exchange 2 and the facsimile mail apparatus 3. A sending line transfers facsimile information from the facsimile mail apparatus 3 (col 3, lines 45-48), which reads on transferring the data to the designated recipient according to determination made in the step B.

With respect to claim 12, Okada discloses priority is given to the functional condition, division can be such that the group A assigned to special delivery comprises 10 lines, the group B assigned to time-specified delivery comprises 10 lines, and the group C assigned to ordinary delivery comprises 22 lines (col 7, lines 3-7), which reads on the predetermined delivery conditions include day and time of data transfer.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikuchi et al (US Patent 5,552,901) in view of Albal (US Patent 5,826,034 A). Kikuchi et al discloses the transmission document table 27 is configured of an area 27a for storing

the user identifier of each request for FAX transmission, an area 27b for storing the user identifier of each transmission destination, an area 27c for storing the telephone number of the destination (col 6, lines 21-25), which reads on a memory for delivery conditions including recipients registered in accordance with at least part of an address of a data transmitter; and

the broadcast facility of transmitting the identical document to the plurality of different opposite FAXes 6 can be realized by utilizing the transmission document table 27 (col 6, lines 33-35), which reads on a control unit for determining a recipient of data, based on the address of the data transmitter and the delivery conditions, and transferring the data to the determined recipient. Kikuchi et al does not disclose expressly that the recipients are specified by facsimile numbers and e-mail addresses. Albal discloses as shown in FIG. 4, the name, e-mail address, fax number, fax-print number, and post office address are provided for the delivery parameters by the payload entry 102. Note that this information is recipient specific (col 8, lines 48-52). Kikuchi et al and Albal are analogous art because they are from the similar problem solving area of delivery addressing. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of Albal to Kikuchi et al in order to obtain associating names with delivery identifiers. The motivation for doing so would be to associate delivery identifiers with recipients.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US Patent 5,757,510) in view of Kikuchi et al (US Patent 5,552,901). Okada discloses the facsimile mail apparatus 3 constitutes a mail center by being connected to the

exchange 2 either for a PBX or for a public network (col 3, lines 34-37) and the receiving line transfers facsimile information from the facsimile terminal 1 (col 3, lines 44-45) which reads on receiving data over a network; and

in FIG. 9, a delivery reservation table 34 in FIG. 5 accomodates registration of a sender ID, a line group name, a mail sending function, a mail storing position, a receipt number, a receipt date/time, and a number of sheets. The mail storing position indicates an address within the aforementioned magnetic disk drive 16 (col 4, lines 59-64), which reads on determining whether the data should be transferred to a designated recipient based on predetermined delivery conditions and an address of a data transmitter.

Okada does not disclose expressly the recipient is a printer connected to the network. Kikuchi et al discloses that the FAX 6 is of an ordinary type, which has the facility of transmitting a document read by a scanner, through a public switched network, and the facility of printing a received document by a printer (col 22, lines 3-6). Okada and Kikuchi et al are analogous art because they are from the similar problem solving area of data output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the feature of Kikuchi et al to Okada in order to obtain an additional means to output image data. The motivation for doing so would be to have an alternate means to output data.

***Allowable Subject Matter***

6. Claims 4, 9, 13, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, DC 20231

**or Faxed to:**

(703) 872-9314 (for Technology Center 2600 only).

**Hand-delivered** responses should be brought to:

Crystal Park II  
2121 Crystal Drive  
Arlington, VA Sixth Floor (Receptionist).

TJL

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SUPERVISOR/PATENT EXAMINER